

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

IN RE:) CASE NO. 15-52566-JPS
)
MIKI WILLIAM FOLSOM)
DEBTOR) CHAPTER 7

NOTICE OF MOTION TO SELL PROPERTY OF THE ESTATE

JOY R. WEBSTER, TRUSTEE IN THE ABOVE-STYLED CASE FILED PAPERS TO SELL PROPERTY OF THE ESTATE. THE TRUSTEE PROPOUNDS THIS NOTICE PURSUANT FRBP 6004, M.D. GA. LBR 6004-1.

THE TRUSTEE PROPOSES TO SELL THE ESTATE'S INTEREST IN THE LIMITED LIABILITY COMPANY KNOWN AS KEYSTONE PARK PROPERTIES, LLC TO MIKI FOLSOM, P.O. BOX 6313, MACON, GA 31208 FOR THE SUM OF \$3,500.00 CASH.

THE TRUSTEE IS NOT RESPONSIBLE FOR ANY COSTS RELATED TO THE SALE.

YOUR RIGHTS MAY BE AFFECTED. YOU SHOULD READ THESE PAPERS CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. (IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.)

IF YOU DO NOT WANT THE COURT TO APPROVE THE MOTION TO SELL, OR IF YOU WANT THE COURT TO CONSIDER YOUR VIEWS ON THE MOTION, THEN YOU OR YOUR ATTORNEY MUST FILE WITH THE COURT A WRITTEN OBJECTION OR RESPONSE ON OR BEFORE **APRIL 15, 2016**. **THE OBJECTION OR RESPONSE SHOULD BE SENT TO THE CLERK OF THE COURT, U.S. BANKRUPTCY COURT, MIDDLE DISTRICT OF GEORGIA, P.O. BOX 1957, MACON, GA 31202. IF AN OBJECTION OR RESPONSE IS FILED A HEARING ON THE APPLICATION WILL BE HELD ON APRIL 28, 2016 AT 9:30 A.M. IN THE UNITED STATES BANKRUPTCY COURT, COURTROOM A, 433 CHERRY ST., MACON, GA 31201.**

IF YOU MAIL YOUR RESPONSE OR OBJECTION TO THE COURT FOR FILING, YOU MUST MAIL IT EARLY ENOUGH SO THE COURT WILL **RECEIVE** THE OBJECTION OR RESPONSE ON OR BEFORE THE RESPONSE DATE STATED ABOVE.

ANY REQUEST OR OBJECTION MUST ALSO BE MAILED TO THE MOVING PARTY AND UPON ALL OTHER PERSONS INDICATED ON THE CERTIFICATE OF SERVICE ATTACHED TO THIS PLEADING.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION OR OBJECTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF.

This **22nd** day of **March, 2016**.

Akin, Webster & Matson, P.C.
P.O. Box 1773
Macon, GA 31202
(478) 742-1889

/s/ Danny L. Akin

Danny L. Akin
Attorney for Trustee
State Bar No. 006350
dlakin@akin-webster.com

U. S. Bankruptcy Court
P. O. Box 1957
Macon, GA 31202
(478) 752-3506

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

IN RE:)	CASE NO. 15-52566-JPS
)	
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MOTION TO SELL PROPERTY OF THE ESTATE

Comes now, Joy R. Webster, Trustee in the above styled case, files this motion to sell property of the estate pursuant to 11 U.S.C. § 363(b) and shows the Court the following:

1.

The Debtor filed a chapter 7 petition pursuant to Title 11 of the United States Code on November 5, 2015. Joy R. Webster was appointed Trustee in the case.

2.

The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(N).

3.

Venue is proper pursuant to 28 U.S.C. § 1408.

4.

The Debtor's schedules listed a 33.33% interest in the Limited Liability Company known as Keystone Park Properties, LLC. Keystone Park Properties, LLC is a Georgia Limited Liability Company with three members, Miki Folsom, William Steve Carter and Randall W. Tidwell. Miki Folsom's interest in the LLC at the time of the filing of his petition was 33.33%.

5.

The Trustee received permission to assume the rights and responsibilities of Miki Folsom under the terms of the Operating Agreement of the Company, by order of Court on February 24, 2016. The Trustee has executed her "New Member's Consent" form and has agreed to be bound by the terms of the operating agreement of the Company. Since there is no restriction in the operating agreement with respect to a Trustee in bankruptcy obtaining the interest of a member and since the interest of Miki Folsom in the Company would be property of the bankruptcy estate, the Trustee is now the holder of a 33.33% interest in Keystone Park Properties, LLC.

6.

The Operating Agreement of Keystone Park Properties, LLC allows the transfer of the membership interest of a member upon the consent of the other members. The Trustee has received an offer from Miki Folsom to purchase the estate's interest in the Company for \$3,500.00 and has transmitted this offer to the other members. It is the Trustee's understanding that the remaining members of Keystone Park Properties, LLC consent to the purchase of this interest by Miki Folsom.

7.

The Trustee believes that the purchase price for her interest in the property is a fair price after considering the nature of the Trustee's interest, the restrictions on transfer of a full membership and the probable liquidation value of the membership interest in the Company.

8.

The Trustee requests permission to execute any instrument necessary to effectuate the sale. The Trustee also requests a waiver of the fourteen day stay period set forth in Fed.R.Bankr.P. 6004(h).

Wherefore, the Trustee prays that the Court enter an order granting her motion and allowing her to sell her interest in the Limited Liability Company known as Keystone Park Properties, LLC to Miki Folsom under the conditions set forth above.

This 22nd day of March, 2016.

Akin, Webster & Matson, P.C.
P.O. Box 1773
Macon, GA 31202
(478) 742-1889

/s/ Danny L. Akin

Danny L. Akin
Attorney for Trustee
State Bar No. 006350
dlakin@akin-webster.com

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

IN RE:) CASE NO. 15-52566-JPS
)
MIKI WILLIAM FOLSOM)
DEBTOR) CHAPTER 7

CERTIFICATE OF SERVICE

This certifies that on this day, I served a copy of the Notice of Motion to Sell Property of the Estate and the Motion to Sell Property of the Estate via electronic notice upon:

Elizabeth A. Hardy, Esq.
Assistant United States Trustee
440 Martin Luther King Jr. Blvd.
Suite 302
Macon, GA 31201

Matthew S. Cathey
Attorney at Law
577 Mulberry St.
Suite 800
Macon, GA 31201

and upon the following and all interested parties listed on the attached matrix of the Court by depositing same in the U.S. mail in a properly addressed envelope with sufficient postage affixed thereto.

Keystone Park Properties, LLC
c/o Randall W. Tidwell
P.O. Box 340
Lizella, GA 31052

Keystone Park Properties, LLC
c/o William Steve Carter
P.O. Box 340
Lizella, GA 31052

Miki Folsom
P.O. Box 6313
Macon, GA 31208

This **22nd** day of **March, 2016.**

Akin, Webster & Matson, P.C.
P.O. Box 1773
Macon, GA 31202
(478) 742-1889

/s/ Danny L. Akin

Danny L. Akin
Attorney for Trustee
State Bar No. 006350
dlakin@akin-webster.com

Label Matrix for local noticing
113G-5
Case 15-52566
Middle District of Georgia
Macon
Mon Mar 21 16:59:26 EDT 2016

Akin, Webster & Matson, P.C.
Attorney for Trustee
P.O. Box 1098
Macon, GA 31202-1098

Recovery Management Systems Corporation
25 SE 2nd Avenue Suite 1120
Miami, FL 33131-1605

Stonebridge Accounting & Forensics, LLC
PO Box 1290
Grayson, GA 30017-0025

5
433 Cherry Street
P.O. Box 1957
Macon, GA 31202-1957

Andy M. Blalock
P.O. Box 27000
Macon GA 31221-7000

Apparel Authority, LLC
Attn: Mr. David Barwick
4268 Interstate Drive
Macon GA 31210-6806

BB&T
201 Second Street
Macon GA 31201-8293

(p)BB AND T
PO BOX 1847
WILSON NC 27894-1847

BIBB COUNTY TAX OFFICE
P O BOX 4724
MACON, GA 31208-4724

Bank of America
P.O. Box 851001
Dallas TX 75285-1001

Capital One Bank (USA), N.A.
P.O. Box 71083
Charlotte NC 28272-1083

Celadon Beach Owners' Assoc.
c/o Rebekah A. Smith
Dunlap & Shipman, P.A.
2065 Thomasville Rd, Suite 102
Tallahassee FL 32308-9818

CertusBank, N.A.
c/o CT Corp System, Reg Agent
1201 Peachtree St., NE
Atlanta GA 30361-3503

Howard O. Holland, Jr.
4350 Interstate Drive
Macon GA 31210-6807

Macon-Bibb County Tax Commissioner
188 Third Street
Macon GA 31201-3484

Mark S. Watson, Esq.
WatsonMcCallum, LLP
111 Arkwright Landing, Suite D
Macon GA 31210-1364

North Macon Business Park, LLC
Miki Folsom
P.O. Box 6313
Macon GA 31208-6313

Randall W. Tidwell
P.O. Box 340
Lizella GA 31052-0340

Ronnie K. Gilbert
P.O. Box One
Macon GA 31202-0001

State Bank & Trust Company
P.O. Box 4748
Macon GA 31208-4748

Sunju Chung
946 First Street
Macon GA 31201-6878

Synchrony Bank
Recovery Management Systems Corp
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

U.S. Trustee - MAC
440 Martin Luther King Jr. Boulevard
Suite 302
Macon, GA 31201-7987

W. Steve Carter
P.O. Box 340
Lizella GA 31052-0340

Joy R. Webster
Akin, Webster and Matson, P.C.
P.O. Box 1098
Macon, GA 31202-1098

Matthew S. Cathey
Stone & Baxter, LLP
577 Mulberry Street
Suite 800
Macon, GA 31201-8256

Miki William Folsom
P. O. Box 6313
Macon, GA 31208-6313

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

BB&T Bankruptcy	End of Label Matrix	
M/C 100-50-01-51	Mailable recipients	27
P.O. Box 1847	Bypassed recipients	0
Wilson, NC 27894-1847	Total	27